



**FREEPORT-McMoRAN**  
**COPPER & GOLD**

Chino Operations  
Box 7  
210 Cortez Avenue  
Hurley, NM 88043

March 19, 2008

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**Return Receipt Requested**

Mr. Jon Goldstein  
Deputy Secretary  
New Mexico Environment Department  
Water and Waste Management Division  
P.O. Box 26110  
Santa Fe, New Mexico 87502

Dear Mr. Goldstein:

**Re:     Hurley Soil Investigation Unit (HSIU)**  
**Interim Remedial Action Completion Report-Chino AOC**

Chino Mines Company (Chino), a subsidiary of Freeport-McMoRan, received the New Mexico Environment Department (NMED) comments to the referenced Completion Report for the Interim Remedial Action (IRA) at the HSIU under the Chino Administrative Order on Consent on February 11, 2008. Chino requests an extension to submit the revised report on April 18, 2008, 15 days after the scheduled April 3<sup>rd</sup> meeting with the NMED to discuss information and property issues in order to complete the draft IRA Completion Report. This extension request with response to comments was also submitted today to Mr. Phil Harrigan, the Chino AOC Manager. Chino provides the following responses to the NMED comment letter.

**NMED Comment 1:** Section 2.5, page 4: revise the seventh bullet to read "Property owners in the ~~southern area of~~ Hurley were ..."

**Chino Response:** The text will be revised as suggested.

**NMED Comment 2:** Section 5.3.1, page 21: please add a reference to a table (added to the Table Section) that lists the property address of each property relating to the three bullets.

**Chino Response:** Revisions will be proposed to section 5.3.1 pending further discussion with the NMED on April 3, 2008.

**NMED Comment 3:** Table 5-1: please correct the chromium Region 6 SSL using the total chromium SSL.

**Chino Response:** Table 5-1 will be revised to show the Region 6 SSL for total chromium as 210 mg/kg.

**NMED Comment 4:** Table 5-1: replace the "Hurley Maximum Reference Soil Concentration" value of 80,000 for iron (which is a Chino proposed value relating to Hanover and Whitewater Creeks) with the actual Hurley Reference sample maximum of 47,300 from Table 6.4-6 of the Background Report (Chino 1995).



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**Chino Response:** The table will be revised as suggested.

**NMED Comment 6:** Table 5-6: please add notes to explain the meaning of “NR”, “Lab NR” and “Rac in R#”.

**Chino Response:** The table will be revised as suggested.

**NMED Comment 7:** Table 5-7: 1) add a note to explain “NH” and “SH”; and 2) format the date for consistency.

**Chino Response:** The table will be revised to explain “NH” (North Hurley) and “SH” (South Hurley). Detailed records of the dates of excavation start and finish for the alleys and easements in North Hurley were not kept, so further detail on these dates are not available.

**NMED Comment 8:** Figure 4-1: please correct title typographical error.

**Chino Response:** The figure title will be revised as suggested.

**NMED Comment 9:** Figure 4-4: in the flow chart third step (Round 1 Sampling and Analysis) please indicate how the decision was made (i.e., <5,000 mg/kg or >5,000 mg/kg).

**Chino Response:** The figure will be revised as suggested.

**NMED Comment 10:** Figure 5-1b: please add symbols to the legend or delete if not pertinent (i.e., circle with dot in center and circle with lines radiating outward).

**Chino Response:** Figures 5-1a and 5-1b will both be revised as suggested.

**NMED Comment 11:** Appendix A, Section 1.2.1, page 2: the first sentence refers to Figure 2-2, but should refer to Figure A-1. Please revise and also delete “of the main text”.

**Chino Response:** The text will be revised as suggested.

**NMED Comment 12:** Appendix A, Section 1.6.2, page 5: the second and fifth paragraphs refer to Table 2-1, but should refer to Table A-1. Please revise.

**Chino Response:** The text will be revised as suggested.

**NMED Comment 13:** Appendix A, Section 1.8, page 7: the first and third paragraphs refer to Table 2-2, but should refer to Table A-2. Please revise.

**Chino Response:** The text will be revised as suggested.

**NMED Comment 14:** Appendix A, Table A-2: please change the title “Economics” to “Cost” and delete the “Community Acceptance” column.

**Chino Response:** The “Community Acceptance” column will be deleted. As stated in the 3<sup>rd</sup> paragraph in Appendix A, Section 1.8, page 7, the “cost” criterion is labeled “economics” so that a high evaluation number is desirable, consistent with other criteria. We suggest leaving this column as is with an explanatory note at the bottom of the table.

**NMED Comment 15:** Appendix C, page 4: the fourth paragraph refers to four Alternate RAC, however five are listed in Section 4.4. Please revise as necessary.

**Chino Response:** The text will be revised to state that there are five alternate RAC.

**NMED Comment 16:** Table C-2: the title of the last column on pages 1-10 appears to be incorrect. Please revise as necessary.

**Chino Response:** The table column will be revised to state "# R2 Needed = # R2 Collected?".

**NMED Comment 17:** Appendix E, Table E-1: please add notes describing the terminology used in the "QA Sample Type" column (i.e., Bag Duplicate, Duplicate Number, Duplicate, SX, In situ Duplicate, Split to SVL, Extra Sample, Equipment Duplicate, etc.).

**Chino Response:** The table will be revised as suggested.

**NMED Comment 18:** Appendix G: although some of the maps were fuzzy to read on my monitor it appears that some sample points annotated green should be open circles. Please check sample points on the North Hurley Blocks, Round 1 maps: 1) 1C-Sample 27982; 2) 1F-Sample 280060; 3) 1G-Sample 28069; 4) 8-Samples 26111, 26118 and 26170; 5) 11-Sample 26389; 6) 12-reword "SLIM" area; 7) 15-Samples 25478, 25519 and 25520; 8) 21-Sample 24809; and 9) 27-Samples 28702 and 28703; and revise as necessary.

**Chino Response:** These sample points will be reviewed and corrected as needed.

**NMED Comment 19:** Appendix G: please label Nevada Avenue on the First Street Median 60 maps of Round 1 and Final.

**Chino Response:** The figures will be revised as suggested.

Please contact Ms. Pam Pinson at (505) 537-4213 if you have any questions.

Sincerely,

Handwritten signature of Timothy E. Eastep in black ink, followed by the word "for" in a smaller, cursive script.

Timothy E. Eastep, Manager  
Environment, Land and Water

TEE:pp  
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c Messrs: Phil Harrigan, NMED  
Jerry Schoeppner, NMED  
Mark Purcell, EPA